

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ROBERT B. LOVE, M.D.,

Plaintiff,

v.

MEDICAL COLLEGE OF WISCONSIN, INC.,
FROEDTERT MEMORIAL LUTHERAN
HOSPITAL, INC.,
ALFRED C. NICOLOSI, M.D.,
PAUL S. PAGEL, M.D.,
DAVID C. WARLTIER, M.D., and
LARRY LINDENBAUM, M.D.,

Defendants.

Case No. 2:15-cv-00650-LA

**DECLARATION OF JUDSON D. STELTER IN REPOSE TO PLAINTIFF’S CIVIL
L.R. 7(H) EXPEDITED NON-DISPOSITIVE MOTION FOR PROTECTIVE ORDER**

Pursuant to 28 U.S.C. § 1746, I, Judson D. Stelter, Esq., do declare under penalty of perjury that the following is true and correct:

1. I am one of the attorneys representing Defendant Paul S. Pagel (“Dr. Pagel”) in the above-captioned action. I have personal knowledge of the facts stated in this declaration.

2. On October 18, 2017, I sent an email to counsel for Plaintiff Robert B. Love (“Plaintiff”) to advise them of Dr. Pagel’s intent to take the depositions of Dr. Bradley Schmidt and Dr. Andrew Schroeder of SSM Health Dean Medical Group d/b/a St. Mary’s Hospital (“St. Mary’s”) on November 1 and 2, 2017, respectively. A true and correct copy of the email chain including my email and the response from Plaintiff’s counsel is attached as Exhibit A.

3. I emailed Plaintiff’s counsel again on November 1, 2017, and asked for additional availability from Plaintiff for depositions of Dr. Muhammed Itani, Dr. Vijay Kantamneni, and a Fed. R. Civ. P. 30(b)(6) witness of St. Mary’s. A true and correct copy of the email chain including my email and Plaintiff’s counsel’s response is attached as Exhibit B.

4. On November 13, 2017, I received an email from Plaintiff's counsel explaining that, with the exception of Dr. Schroeder, Plaintiff was willing to schedule depositions for individuals at St. Mary's before document production is complete. A true and correct copy of the email chain including the email from Plaintiff's counsel is attached as Exhibit C.

5. On January 17, 2019, Plaintiff's counsel emailed the parties and agreed to schedule the depositions of the following four St. Mary's employees: Dr. Schroeder, Ginger Malone, Dr. Schmidt in his individual capacity and as a Fed. R. Civ. P. 30(b)(6) witness, and Dr. Itani. A true and correct copy of Plaintiff's counsel's email is attached as Exhibit D. The parties have not yet scheduled depositions for Dr. Kantamneni, Dr. Cotter, or Mr. Boatwright.

Dated this 9th day of February, 2018.

s/ Judson D. Stelter